

REMARKS/ARGUMENTS

The independent claims have been amended to place them in better form.

The rejection of Claims 10 and 12-14 as obvious over a combination of Jean Henry-Labordere, Frangione et al and Joong et al is respectfully traversed. It is requested that the Examiner reconsider and withdraw the rejections for the reasons set forth hereinafter.

Each of Claims 12, 13 and 14 calls for storing both the short message to be delivered and the parameters or data required for delivery received from the HLR in the short message service center SMSC. Labordere teaches storage of the message, but does not teach storage of the delivery data obtained from the HLR. Labordere discloses storing only the HLR address where the delivery data may be found, which is different than what is defined by the independent claims. This is described at paragraphs 21-28 of Labordere.

Frangione et al similarly fails to teach storage of the delivery data and stores the SMS message but not parameters or data for delivery received back from the relevant HLR in response to the initial inquiry (paragraph 118).

In contrast to the present invention as set forth in the independent claims, Labordere fails to teach that for a specific short message the delivery data received from the HLR are temporarily stored together with the message itself as long as the short message was not delivered successfully. In other words, Labordere fails to teach a method for the delivery of short messages in which at first delivery parameters or data representing target information for delivery are stored together with the short message in an SMSC or SMS-GMSC in order to be reused, at least in part, in subsequent attempts at delivery. The delivery parameters and data are stored in an additional storage location. If the short message is successfully delivered, either after the first attempt at delivery or subsequent attempts, the short message including the parameters or data for delivery, are erased. Thus, the parameters and data for delivery do not require any storage capacity and maintenance. This is in stark contrast to Labordere which requires a very large cache memory which stores routing information of all the mobile subscribers in the country in which the portability feature is functional.

Although Frangione et al discloses the concept of making a subsequent attempt if the first attempt at delivery of the short message fails, Frangione et al does not disclose erasing the short message in order to enhance efficiency and to avoid the need for a very large memory.

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Joong et al relates to a very different method for delivering a message in which the message and message data are erased in the home message center after delivery. This is different from the claimed invention wherein the short message to be delivered and the parameters or data required for delivery obtained from the HLR are stored in a short message service center SMSC.

It is submitted that the Examiner has extracted bits and pieces of disclosure from three separate references wherein there is no incentive, suggestion or teaching of combining the disclosures to arrive at Applicant's claimed system and method. In fact, even if the disclosures identified by the Examiner are combined, they fail to provide the claimed system and method because of the deficiencies outlined above.

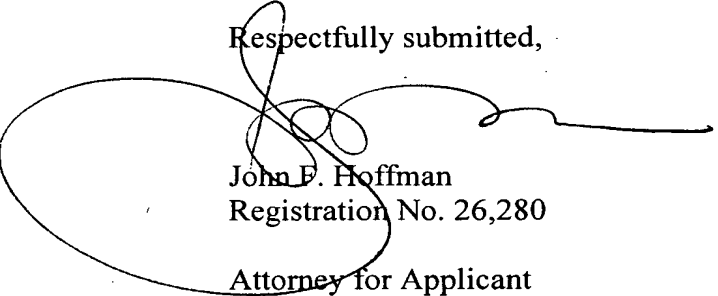
In summary, it is submitted that even a combination of references identified by the Examiner would not provide Applicant's novel system and method and since there is no suggestion, incentive or teaching within the references themselves to make the attempted combination, the claimed invention would not be obvious within the meaning of 35 U.S.C. § 103.

It is requested the Examiner reconsider and withdraw the rejection of the claims which define Applicant's invention with sufficient particularity to be patentable. Although it

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is believed that the application is now in condition for allowance, if the Examiner believes that further issues remain, it is requested that the he telephone the undersigned at 260-460-1692.

Respectfully submitted,


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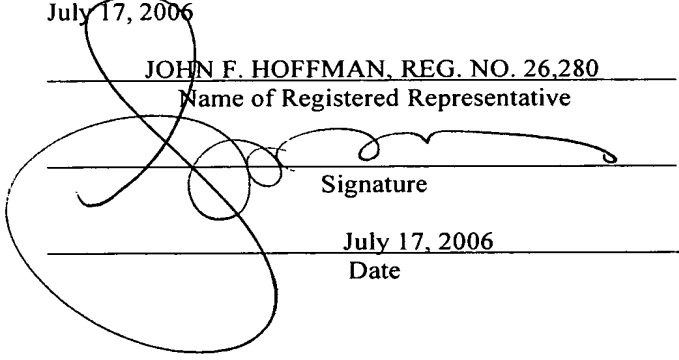
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Name of Registered Representative


Signature

July 17, 2006
Date